

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FELIX OLIVER GUILLORY,
Plaintiff,
v.
HSBC BANK, USA, et al.,
Defendants.

Case No. [16-cv-03868-MMC](#)

**ORDER GRANTING PLAINTIFF'S
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND
REQUEST FOR ORDER TO SHOW
CAUSE RE: PRELIMINARY
INJUNCTION; DIRECTIONS TO
PLAINTIFF**

Before the Court is plaintiff's "Application for a Temporary Restraining Order and Request for Order to Show Cause Re: Preliminary Injunction," filed July 11, 2016.

The Court, having read and considered the application, finds plaintiff has shown the existence of serious questions going to the merits of his claim that defendants have not complied with the California Homeowner's Bill of Rights, that irreparable injury is likely in the absence of temporary injunctive relief, and that the balance of hardships weighs in his favor. Accordingly, plaintiff's application is hereby GRANTED, as follows:

1. Defendants are ordered to show cause, on July 21, 2016, at 10:00 a.m., in Courtroom 7, why an order should not be entered granting plaintiff a preliminary injunction enjoining defendants and their agents from foreclosing upon and selling the property located at 4909 Stacy Street, Oakland, California, 94605.

2. Defendants shall file and serve any opposition no later than 5:00 p.m., Friday, July 15, 2016, and plaintiff shall file and serve any reply no later than noon, Tuesday, July 19, 2016.

3. Pending the July 21, 2016 hearing, defendants and their agents are temporarily restrained from foreclosing upon and selling the property located at 4909 Stacy Street,

Oakland, California, 94605.

4. The temporary restraining order is conditioned upon plaintiff's filing with the Clerk of Court, no later than Tuesday, July 19, 2016, a bond or other security, or cash, in the amount of \$1,000.

5. Plaintiff is directed to serve defendants' counsel with a copy of this order no later than 10:00 a.m., Wednesday, July 13, 2016, and to file proof of such service, no later than Thursday, July 14, 2016.

IT IS SO ORDERED.

Dated: July 12, 2016



JOHN S. TIGAR for
MAXINE M. CHESNEY
United States District Judge

United States District Court
Northern District of California